

~~EX PARTE OR LATE FILED~~

ORIGINAL

# The National Center for Law and Deafness



800 Florida Ave. NE, Washington, DC 20002-3695  
(202) 651-5373 (V/TDD) (202) 651-5381 (FAX)

RECEIVED

FILE  
FEB - 8 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

EX PARTE OR LATE FILED

February 3, 1993

Ms. Donna R. Searcy  
Secretary  
Federal Communications Commission  
Room 222  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: CC Dkt. 92-105  
Use of N11 Codes  
Notice of Ex Parte Communication

Dear Ms. Searcy:

On February 3, 1993, Karen Peltz Strauss of the National Center for Law and Deafness and Pam Ransom of Telecommunications for the Deaf, Inc. met with Peyton Wynns, Larry Povich, and Alexander Belinfante of the Industry Analysis Division of the Common Carrier Bureau to discuss the use of N11 codes for access to telecommunications relay services (TRS). At that time, a copy of the attached letter, previously filed with this office and directed to the NANP Administration regarding this use of N11 codes, was submitted to these staff members (Attachment A). In addition, later on that same day, Ms. Peltz Strauss faxed a second document to Peyton Wynns (Attachment B). Attachment B details the decision of the Canadian Radio-Television and Telecommunications Commission to allocate N11 codes for TRS access.

Sincerely,

Karen Peltz Strauss  
Supervising Attorney

Enclosures

cc: Peyton Wynns  
Linda Dubroof  
Larry Povich  
Alexander Belinfante

No. of Copies rec'd  
1148006

①



Attachment A

February 3, 1993

Mr. Alfred Gaechter, Jr.  
NANP Administration  
LCC 1B234  
290 West Mt. Pleasant Avenue  
Livingston, NJ 07039

Dear Mr. Gaechter:

This is in response to your August 31, 1992 letter which contained a series of questions regarding nationwide assignment of an N11 code for access to telecommunications relay services. It also follows a conference call between you and my organization, the National Center for Law and Deafness (NCLD), in which Bell Atlantic assisted NCLD in addressing related technical matters. This response comes to you at the end of an unusually busy Fall, which recently culminated in our review and the submission of our comments on forty-nine individual state applications to the FCC for relay certification. We apologize for any delay in addressing the matter at hand.

We offer the following answers to the questions that you have raised:

1. Other than ease of use, why is the success of relay services dependent on a uniform 3-digit code instead of a uniform 7 digit or 10-digit number for user access?

When asked why one of the remaining N11 codes should be assigned for relay access, our answer is simply that to date there has not been demonstrated any greater public need for assignment of these codes. N11 codes are both a scarce and valuable public resource. Because they are so scarce, these numbers have traditionally been reserved for important purposes which can benefit large number of Americans, rather than select groups of individuals. Given this historical role, the growth in demand for relay services nationwide over the past five years more than supports use of N11 codes for relay access.

Mr. Alfred Gaechter, Jr.  
November 30, 1992  
Page 2

Some examples may help to illustrate this point. In 1987, the California Relay Service (CRS) was originally designed to handle 50,000 incoming calls per month; at present, CRS is handling over 300,000 calls each month. Similarly, approximately 42,000 calls were relayed by the New York Relay Center in January 1989, its first month of operation. By May 1990, 112,000 calls, representing a 167 percent increase, were relayed in New York. Currently, New York is relaying 200,000 calls per month. In addition to astonishing increases in call volume, the populations using relay services have expanded over the years. For example, when Minnesota first began its relay operations in March 1989, approximately 98 percent of all calls were initiated by TTY users. At present, 20 to 25 percent of all calls are initiated by hearing persons across the nation.

With millions of relay calls being made each month, there is an urgent and immediate need for easy, unencumbered access to relay services. Moreover, unlike commercial interests seeking assignment of N11 codes, relay users have behind them a powerful Congressional mandate. That mandate, contained in the Americans with Disabilities Act (ADA), directs all telephone companies to address the past failure of the public telephone network to be accessible to individuals with hearing and speech disabilities. It directs these carriers to do what is necessary to facilitate and simplify telephone access for these populations. A three digit number accessing relay services would work to fulfill this mandate by offering relay users anywhere in the country fast and uncomplicated access to basic telephone services.

## 2. How would the N11 code be activated and routed nationwide?

Telecommunication relay services (TRS) are currently provided by various service providers throughout the country. After the N11 codes are assigned for relay access, each of these individual providers can introduce the codes to the residents of the geographical areas which they serve. The N11 codes can then be used to access relay services concurrently with the existing numbers used to access those services in these same areas. Over an extended period of time, TRS customers would come to use the N11 codes in place of the existing relay access numbers. In areas that currently do not have relay services, relay service providers can introduce the codes coincident with the start up of those services.

The ADA places explicit requirements on common carriers to inform the public about ways to access relay services. Specifically, carriers are directed to inform the public about TRS through, among other things, "publication in their directories,

Mr. Alfred Gaechter, Jr.  
November 30, 1992  
Page 3

periodic billing inserts, placement of TRS instructions in telephone directories, [and] through directory assistance services." 47 U.S.C. Sec. 64.604(c)(2). Similarly, many service providers have used television, newspapers, and other forms of the media to distribute information about TRS in their communities. These same methods can be used to activate use of N11 codes across the nation.

3. What will be the local and national network architecture of relay services working under a nationwide N11 code?

We envision that N11 access would mold right into existing network architecture, and that no major changes to that architecture would be necessary. A further detailed technical analysis may be necessary to determine what technical impacts, if any, N11 would have on the existing architecture.

4. How will the existing multiplicity of number assignments for relay services be discontinued to ensure one dialing plan under an N11 code?

As discussed in our response to question 2, existing numbers used to access TRS would be phased out over time as customers become familiar with the N11 number.

5. Why is a nationwide uniform dialing plan necessary for relay services?

A nationwide uniform dialing plan is necessary to fulfill Congress' mandate in the ADA to provide functionally equivalent telephone access for individuals with hearing and speech disabilities.

Prior to passage of the Americans with Disabilities Act, approximately 18 states had begun to develop their own statewide relay programs. Unfortunately, these programs varied considerably in the types of services they offered relay users. In passing Title IV of the ADA, Congress set forth a direct and unequivocal mandate to extend uniform access to nationwide telephone services for deaf, hard of hearing and speech impaired individuals. The Senate Report on the ADA discusses this Congressional concern:

[T]he [relay] systems that do exist vary greatly in quality and accessibility. The Committee finds that to ensure universal service to this population of users, service

Mr. Alfred Gaechter, Jr.  
November 30, 1992  
Page 4

must be made uniformly available on a local, intrastate, and interstate basis. . . It is essential to this population's well-being self-sufficiency and full integration into society to be able to access the telecommunications network and place calls nationwide without regard to geographic location.

S. Rep at 79 (emphasis added). Unfortunately, the uniform access to which Congress referred has not come about. Rather, because relay numbers continue to vary from state to state, relay users confront the extremely burdensome task of ascertaining local relay numbers as they travel from state to state. The obstacles which relay consumers have been forced to endure have also flied in the face of the Congressional mandate that telecommunications relay services be functionally equivalent to telephone service available to hearing Americans. Allocation of N11 codes for relay access would fulfill the ADA's goal of functional equivalency by making access to these services convenient, fast, universal, and uncomplicated.

5. The North American Numbering Plan (NANP) services what is known as World Zone 1, which includes the US, Canada, Bermuda, and 15 Caribbean nations. Is your request on behalf of all those countries to which these resources belong, or only on behalf of the potential US users?

While NCLD represents only individuals currently residing in the United States, we see significant benefit to extending use of N11 codes for relay access as widely as practicable. As TTY users have come to rely heavily on relay services, use of these services for international calls has also increased. Uniformity of access within all of World Zone 1 would certainly facilitate access among these countries and territories.

Please do contact me if you wish to discuss our responses. I look forward to hearing from you soon.

Sincerely,

Karen Peltz Strauss  
Supervising Attorney

**The Canadian Association of the Deaf****L'Association des Sourds du Canada****CANADIAN ASSOCIATION OF THE DEAF  
SUCCESSFUL IN FIGHT FOR 7-1-1 MRS!**

Ottawa, Jan. 27/93 -- Today the Canadian Radio-television and Telecommunications Commission (CRTC) announced its decision in support of an application to reserve the three-digit numbers 7-1-1 and 5-1-1 for the exclusive use of Message Relay Services (MRS) in Canada.

The application had been filed by the Canadian Association of the Deaf (CAD), the 53-year-old national advocacy organization of Canada's 260,000 profoundly Deaf citizens.

"This decision follows on the success of our application two years ago to extend MRS throughout the Maritime Provinces, giving Canada the longest coast-to-coast MRS in the world," said James Roots, Executive Director of the CAD. "This means Canada will continue to have the best MRS anywhere."

Message Relay Services are provided by phone companies to assist Deaf people who use machines called TTYs to call hearing people who use voice telephones. An operator relays the call to the

-- 2 --

hearing person via voice and to the Deaf person via a similar TTY machine.

Provincial and some local phone companies in Canada offer the service independently. As a result, the CAD estimated that there are 14 different MRS in Canada utilizing up to 24 different phone numbers, many of them 1-800 numbers which require the dialing of ten numbers for connection to the service. Adding the area code and number of the callee means MRS users need to dial as many as 17 numbers to make a simple phone call to a hearing friend.

The CRTC decision means MRS users will only need to dial three digits to access the MRS, followed by the callee's numbers. TTY users will call 7-1-1 and voice users will call 5-1-1.

Most phone companies supported the application in principle but suggested the decision was outside the CRTC's jurisdiction. In supporting the CAD's application, the CRTC cited a uniform national MRS number as "an appropriate policy objective." Nine phone companies including Unitel were instructed to explore the matter and file a plan of implementation within six months.

- 30 -

Further information: James Roots, Canadian Association of the Deaf:  
205 - 2435 Holly Lane, Ottawa, Ontario K1V 7P2. Phone: (613)526-  
4785 TTY via Bell Relay Service 1-800-267-6600. Fax: (613)526-4718.